

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID M. KEENER, Derivatively on Behalf of
WEIGHT WATCHERS INTERNATIONAL,
INC.,

Plaintiff,

v.

MINDY GROSSMAN, RAYMOND DEBBANE,
STEVEN M. ALTSCHULER, M.D., PHILIPPE
J. AMOYAL, CYNTHIA ELKINS JONAS M.
FAJGENBAUM, DENIS F. KELLY SACHA
LAINOVIC THILO SEMMELBAUER,
CHRISTOPHER J. SOBECKI and OPRAH
WINFREY,

Defendants,

and,

WEIGHT WATCHERS INTERNATIONAL,
INC.,

Nominal Defendant.

Case No.: 1:19-cv-05539

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FED. R. CIV. P. 41 (a)(1)(A)(i)

PLEASE TAKE NOTICE that Plaintiff David M. Keener files this notice of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Defendants have not filed an Answer or moved for summary judgment, nor has the complaint been served on any of the defendants. No monetary compensation has been rendered to Plaintiff in return for this dismissal. Plaintiff has not previously dismissed an action based on or including the same claims as presented in this instant action.

Dated: July 8, 2019

GAINEY McKENNA & EGESTON

By: /s/ Thomas J. McKenna

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July ____, 2019 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system.

/s/ Thomas J. McKenna

Thomas J. McKenna